

PRICE ONE CENT.

NEW YORK, WEDNESDAY, FEBRUARY 21, 1900.

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BOERS MASSING UNDER JOUBERT TO CRUSH ROBERTS!

HEAVY CASUALTY LIST OF BRITISH OFFICERS SHOWS CRONJE HAS BEEN FIGHTING FIERCELY.

NETHERSOLE ARRESTED.

Actress and Managers in
Court on Account
of "Sapho."

HELD FOR AN EXAMINATION.

Warrants Charge Them with
Maintaining a Public
Nuisance.

The police, pushed into action by District-Attorney Gardiner, took steps today to suppress the performance of "Sapho" at Wallack's Theatre. Miss Olga Nethersole, who impersonated Sapho, was arrested this afternoon and arraigned in the Tombs Police Court, charged with maintaining a public nuisance by giving an indecent and immoral public exhibition. Marcus Mayer, manager for Miss Nethersole; Hamilton Revelle, the leading man of her company, were also arrested and arraigned with her. They pleaded not guilty and were held for examination on Friday morning at 10 o'clock. Miss Nethersole swept into the stuffy court atmosphere with the bearing of an outraged queen. She wore a dark purple dress a long opera cloak of a lighter purple figured with a fanciful design. The court officers instinctively bowed before her and Magistrate Mott even forgot to cry, "Sit down." His eyes were riveted on the fascinating face of Sapho, and he instinctively straightened himself up in the judicial chair.

WANTS SEPEDY TRIAL.
Mr. Hummel marshalled his clients before the clerks, where all pleaded not guilty and signed their answers to the complaint. Miss Nethersole's answer was this: "I have committed no offense against the good morals or laws of this or any other country. I expressly demand to know the source of this uncalled-for attack on me and my property. The Court cannot give me too speedy an investigation."
Mr. Hummel then arraigned his clients before Magistrate Mott. He said that an arrangement had been made whereby his clients were to be surrounded Thursday morning. Something had happened to change the proposition

and if His Honor was willing to parole the prisoners in his custody he would prefer the examination to go over until Friday morning. Assistant District-Attorneys Hennessey and O'Reilly were agreeable to this, as they admitted that the complaint was hardly strong enough and would have to be amended. Magistrate Mott then set the examination for Friday morning at 11 o'clock. Mr. Hummel then took Miss Nethersole and Hamilton Revelle to one side and read to them the complaint. It related the indecencies and immorality of the play and throughout the reading Miss Nethersole gave vent to smothered ejaculations of indignation. Her eyes were remarkable eye, a sort of a smouldering yellow-blaze with indignation, and her sensitive nostrils quivered. Mr. Hummel read the complaint sympathetically. "This proceeding is remarkably un-American," said Miss Nethersole. "I cannot understand chivalrous Americans undertaking a persecution of this kind." The whole party went over to Mr. Hummel's office then and it was believed that Miss Nethersole would make a statement. She declined to do so, however, until she got into court. Then there may be a dramatic denouement. A warrant was also issued for Theodore Moss, proprietor of Wallack's Theatre, but Mr. Moss had gone home sick, and was not arrested. His counsel promised that he would appear in court at the examination. Chief of Police Devery says he will not interfere with the performance to-night and will not take any further action toward stopping the performance until Magistrate Mott has decided whether or not the production of "Sapho" as given by Miss Nethersole's company is in violation of the law. Concerning her arrest Miss Nethersole



WARRANTS FOR "SAPHO" PEOPLE.
Olga Nethersole Actress
Hamilton Revelle Leading Man
Marcus Mayer Manager for Miss Nethersole
Theodore Moss Proprietor of Wallack's

Manager Marcus Mayer and Actor Revelle were arrested at the theatre. Miss Nethersole, who had been notified by her attorney, immediately left her hotel and drove down to court in a carriage with her brother, Louis, where she surrendered. Col. Gardiner's action was taken on the complaint of Robert Mackey, who informed him that he had visited Wallack's Theatre last night and saw the play. He said "Sapho" was the portrayal of the life of a depraved and dissolute woman, enacted in such a way as to offend public decency. District-Attorney Gardiner personally drew up the complaint. The information on the affidavit of Robert Mackey sets forth that on last Saturday night he, Mackey, visited a play called "Sapho" at Wallack's Theatre. The theme of the play, he alleges, is a portrayal of the life of a lewd and dissolute woman in such a way as to offend public decency. He declares that this is particularly true of Miss Olga Nethersole who, during the course of the play, accentuated the offense by her acting. In the recital of her lines during the course of the play, Mackey avers, she openly boasts of her relations with a man and that in one portion of the play she permitted Hamilton Revelle to carry her up a flight of stairs in an indecent manner. Mr. Mackey declares that the whole play is imbued with an immoral tone and endangers public morals. District-Attorney Gardiner in addressing Magistrate Mott said: "If Your Honor please, information has come to the People to which we desire to call your attention that a play the order and economy of the State and consists in unlawfully doing an act or omitting to perform a duty, which act or omission annoys, injures or endangers the comfort, repose, health or safety of any considerable number of persons or offends public decency." District-Attorney Gardiner personally drew up the complaint. The information on the affidavit of Robert Mackey sets forth that on last Saturday night he, Mackey, visited a play called "Sapho" at Wallack's Theatre. The theme of the play, he alleges, is a portrayal of the life of a lewd and dissolute woman in such a way as to offend public decency. He declares that this is particularly true of Miss Olga Nethersole who, during the course of the play, accentuated the offense by her acting. In the recital of her lines during the course of the play, Mackey avers, she openly boasts of her relations with a man and that in one portion of the play she permitted Hamilton Revelle to carry her up a flight of stairs in an indecent manner. Mr. Mackey declares that the whole play is imbued with an immoral tone and endangers public morals. District-Attorney Gardiner in addressing Magistrate Mott said: "If Your Honor please, information has come to the People to which we desire to call your attention that a play

TOP. M. EXTRA

HEAVY DEATH LIST REPORTED IN TRAIN WRECK

CHIPPWA FALLS, Wis., Feb. 21.—Passenger train No. 1, on the Wisconsin Central Railroad, from Chicago, was wrecked near Curtiss, Wis., today. It is reported that several persons were killed and others injured. The wreck occurred at 2 o'clock on Friday afternoon on a sharp curve in the track.

LYONS NOT REGISTERED AS BANKER

ALBANY, N. Y., Feb. 21.—An examination of the records of the State Banking Department shows that William A. Lyons, who had been running a 40-per-cent-a-week get-rich-quick business, at 130 Fulton street, New York City, had never been registered as a banker, nor has his concern been incorporated. Supt. Kilburn said Lyons had no right to conduct a banking business under the circumstances.

TUNNEL JOLLIFICATION NOT LIKELY

It is probable that there will be no celebration ceremonies when the new rapid transit tunnel is opened. The joint committee on the subject, which is made up of members of the Municipal Council and the Board of Aldermen, will meet in the Aldermanic Chamber at 2 o'clock on Friday to settle the matter. There is no time to spare for the necessary expenses, and the Legislature would have to be appealed to for money.

FELL FROM ELEVATED ROAD

A man, who was working on the elevated road, fell from a height of 130 feet today. He was taken to the Manhattan hospital.

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NO OPPOSITION TO BULLER NOW.

BERLIN, Feb. 21.—The Tagblatt published a special despatch from Brussels which says the Transvaal Legation there announce that all the Boers are evacuating Natal, their position in that colony being no longer tenable. Gen. Joubert has ordered the concentration of all the available forces to oppose Lord Roberts. The siege of Ladysmith, it is further announced, will be raised, and it is expected Gen. Buller will enter the town at the end of the week.

BATTLING FOR DAYS.

Two Generals and Many Other British Officers Wounded. Roberts Reports. LONDON, Feb. 21.—4.47 P. M.—That the fiercest kind of fighting has been going on for several days between Lord Roberts's army and the Boers near Paardeberg, in the Free State, is shown by a list of casualties of high officers given out by the War Office this afternoon.

In some quarters the fact that Gen. Roberts is still at Paardeberg is considered to bear out the report from Berlin that the British have Gen. Cronje surrounded and have given him a time limit to surrender. Other authorities believe it indicates that Cronje escaped and that pursuit was given up. The despatch is as follows and is signed by Lord Roberts. "PAARDEBERG, Tuesday, Feb. 20.—Between Feb. 16 and Feb. 18 Major-Gen. Knorr was wounded, Major-Gen. Hector Macdonald was severely wounded and Lieut.-Col. Aldworth was killed. "Other officers killed were Capt. Wardlaw and Newbury, of the Duke of Cornwall's Light Infantry; Lieuts. McLure, of the Seaforth Highlanders; Courtney, of the Argyll and Sutherland Highlanders; Stord and Neave, of the Yorkshire Regiment, and Bright and Ball-Aston, of the Oxford Light Infantry."

Then follows a list of wounded officers, including Col. Bowles, of the Yorkshire Regiment; Col. Cartwright, of the Black Watch (Royal Highlanders); Capt. H. M. Arnold (dangerously), and Lieut. J. C. Mason (slightly), both of the Canadians. In the Highland Brigade sixteen officers were wounded, including Gen. Macdonald, Major the Hon. H. E. Maxwell, of the Black Watch (Royal Highlanders), brother of Lord Farnham, and Lieut. Aiers Douglas, of the Argyll and Sutherland Highlanders, son of the Right Hon. Aiers Douglas, First Commissioner of Works. All these casualties occurred near Lord Roberts's present headquarters, but the War Office has no further details. Berlin evidently believes the report that Cronje is surrounded, as large German buying occurred on the Stock Exchange to-day. News has so often reached the Continental capitals ahead of England that it is possible these reports are true. The Windsor report of the relief of Ladysmith created jubilation, which was followed by a deluge of queries at all the official points in an endeavor to ascertain the truth. While the uncertainty was at its height a detachment of yeomanry visited the Mansion House and crowds gathered there on a report, circulated in Fleet Street, that a bulletin announcing the relief of Ladysmith had been posted at the Mansion House an hour previous to the arrival of the yeomen. In a few moments all traffic was almost blocked by the crowds and a large body of police gathered at the spot.

BULLER MARCHING ON.

Reports Silencing Boer Guns and Has Driven Back Joubert's Rear Guard Below Ladysmith. LONDON, Feb. 21.—27 P. M.—While the War Office has no news that Ladysmith has been relieved the following despatch from Gen. Buller, just issued, is believed by military experts here to practically assure that result. "CHIEVELEY CAMP, Feb. 21.—The Fifth Division crossed the Tugela to-day by poston and drove back the enemy's rear guard, our naval twelve-pounders silencing all of the enemy's guns. "Gen. Buller's despatch from Chieveley Camp is timed 4.27 o'clock this afternoon, and effectually disproves the early stories of the relief of Ladysmith. As the First Division of the relieving column only crossed the Tugela to-day it would have been practically a physical impossibility to relieve the town to-day. It is also evident that the War Office has no news of the relief, as the President of the Board of Trade, Right Hon. C. T. Ritchie, in behalf of the Cabinet, announced in the House of Commons at 6 o'clock this evening that the Government had no news to that effect. At a meeting of the Town Council of Windsor to-day it was announced that news had reached Windsor